

THURSDAY, FEBRUARY 5, 1998

SIXTY-SECOND LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Tom Moye.

Representative Beavers led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Boyer; personal reasons

Representative McMillan; personal reasons

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1350: Rep(s). Haley, Hargett and Pleasant as prime sponsor(s).

House Bill No. 2041: Rep(s). Haley, Hargett, Pleasant and Walley as prime sponsor(s).

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

- House Bill No. 2076:** Rep(s). Odom and Ridgeway as prime sponsor(s).
- House Bill No. 2079:** Rep(s). Burchett and Chumney as prime sponsor(s).
- House Bill No. 2359:** Rep(s). West as prime sponsor(s).
- House Bill No. 2476:** Rep(s). Haley, Hargett, Pleasant and Walley as prime sponsor(s).
- House Bill No. 2591:** Rep(s). Bone as prime sponsor(s).
- House Bill No. 2614:** Rep(s). Garrett as prime sponsor(s).
- House Bill No. 2660:** Rep(s). Bone as prime sponsor(s).
- House Bill No. 3002:** Rep(s). Maddox, Bone, S. Jones, Jackson, Hood, Head, Davidson and Bowers as prime sponsor(s).
- House Bill No. 3183:** Rep(s). Bone and Maddox as prime sponsor(s).
- House Bill No. 3243:** Rep(s). Sharp, McAfee, Wood, Turner(Hamilton) and Brown as prime sponsor(s).
- House Bill No. 3265:** Rep(s). Williams as prime sponsor(s).

**MESSAGE FROM THE SENATE
February 5, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 394, 398, 401 and 402; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 394 -- Memorials, Death - George Lloyd Langford. by *Rochelle, *Atchley, *Burks, *Carter, *Clabough (S), *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L., *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 398 -- Memorials, Sports - 1997 Riverdale High School football team, TSSAA Division 1, Class 5-A state champions. by *Womack.

Senate Joint Resolution No. 401 -- Memorials, Retirement - Reverend Bill Sherman, Woodmont Baptist Church. by *Henry.

Senate Joint Resolution No. 402 -- Memorials, Death - Sandra "Sande" Knight Graham. by *Haynes.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 504** -- General Assembly, Studies - Continues special joint committee to study home and community based long-term care services for elderly. by *Arriola, *Chumney, *Bird, *Caldwell, *McDaniel.

Health & Human Resources Committee

***House Joint Resolution No. 505** -- General Assembly, Directed Studies - Directs THDA to study incentives for construction of affordable housing, including review of other states' programs. by *Chumney.

State & Local Government Committee

***House Joint Resolution No. 511** -- Highway Signs - "R. Morris Harwell Bridge," Bradshaw Creek, U.S. 64, Giles County. by *Fowlkes.

Transportation Committee

***House Joint Resolution No. 512** -- Constitutional Amendments - Bans discrimination or preferential treatment on basis of race, gender, color, ethnicity, or national origin by state or local governments. by *Dunn, *McDaniel, *Stamps, *Beavers, *Sargent, *Walker, *Goins, *Sharp, *Wood, *Godsey, *Haley, *Pleasant, *Tidwell.

State & Local Government Committee

House Joint Resolution No. 513 -- Naming and Designating - "V.H. 'Doc' Jernigan Golf/Pro Shop," Old Stone Fort State Park. by *Lewis.

Conservation & Environment Committee

***House Joint Resolution No. 514** -- Memorials, Government Officials - Directs department of transportation to erect adequate signage for "American Ex-Prisoners of War Highway" (U.S.70) at proportionate distances throughout Tennessee. by *Eckles.

Transportation Committee

***House Joint Resolution No. 515** -- Highway Signs - "Wilson Francis Memorial Bridge," I-840, Rutherford County. by *Eckles.

Transportation Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 9, 1998:

House Joint Resolution No. 517 -- Memorials, Professional Achievement - Music City Chorus, 50th Anniversary. by *Boner, *Garrett, *Pruitt, *Langster, *Robinson, *Odom, *Jones, S., *West, *Arriola, *Halteman Harwell.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 9, 1998:

Senate Joint Resolution No. 394 -- Memorials, Death - George Lloyd Langford. by *Rochelle, *Atchley, *Burks, *Carter, *Clabough (S), *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L., *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 398 -- Memorials, Sports - 1997 Riverdale High School football team, TSSAA Division 1, Class 5-A state champions. by *Womack.

Senate Joint Resolution No. 401 -- Memorials, Retirement - Reverend Bill Sherman, Woodmont Baptist Church. by *Henry.

Senate Joint Resolution No. 402 -- Memorials, Death - Sandra "Sande" Knight Graham. by *Haynes.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3368, was/were referred to the Delayed Bills Committee.

House Bill No. 3368 -- Driver Licenses - Prohibits department of safety from imposing reinstatement fee to first time applicant who is minor Amends TCA Section 55-50-321. by *Fraleigh.

INTRODUCTION OF BILLS

On motion, the following bills passed first consideration:

House Bill No. 3183 -- Highway Signs - Makes possession of highway signs by unauthorized person Class B misdemeanor, punishable only by fine of \$500; allots fines to county highway department of county from which sign was taken. Amends TCA Title 54, Chapter 10, Part 1. by *McDonald, *Fowlkes, *Robinson.

House Bill No. 3184 -- Criminal Offenses - Creates offense of cruelty to non-livestock animals; provides for basic care and humane treatment of such animals. Amends TCA Title 39, Chapter 14, Part 2. by *Givens.

House Bill No. 3185 -- Environmental Preservation - Establishes state regulation of concentrated animal feeding operations and utilization of flush system animal waste wet handling facilities. Amends TCA Title 68. by *Givens.

***House Bill No. 3186** -- Taxes, Inheritance Gift - Increases inheritance tax exemption by \$25,000 per year from \$600,000 in 1998 to \$1,000,000 in 2014. Amends TCA Title 67, Chapter 8, Part 3. by *Givens.

***House Bill No. 3187** -- Public Property - Allows state, city or county officers or employees to purchase confiscated property at public auction unless directly or indirectly involved in confiscation; allows similar purchases of county property at public auction by county officers and employees, and purchases of municipal property by municipal officers and employees. Amends TCA Title 5, Chapter 1, Part 1; Title 6, Chapter 54, Part 1 and Title 12, Chapter 2. by *Givens.

House Bill No. 3188 -- Penal and Reformatory Institutions - Clarifies that provisions requiring notification of certain officials upon escape of inmate includes any escape from a prison or facility operated by private prison contractor. Amends TCA Title 41. by *McMillan.

House Bill No. 3189 -- Public Records - Makes records and other documents concerning Tennessee inmate being housed in facility operated by private prison contractor public records to same extent they would be public if inmate housed in department of correction facility. Amends TCA Title 10, Chapter 7 and Title 41. by *McMillan.

***House Bill No. 3190** -- Local Government, General - Revises emergency communications district law. Amends TCA Title 4, Chapter 29 and Title 7, Chapter 86. by *McMillan.

***House Bill No. 3191** -- Courts, General Sessions - Permits county legislative body to appoint temporary successor until interim suspension is lifted or office becomes vacant. Amends TCA Section 16-15-210. by *McMillan.

House Bill No. 3192 -- Taxes, Sales - Caps municipalities' share of state sales tax proceeds on 6/30/98; allocates one half of growth to cities and other one half of growth to counties for education. Amends TCA Section 67-6-103. by *Curtiss.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 3193 -- Education - Authorizes school principal to suspend student convicted of or adjudicated delinquent for violent felony offense if student's presence at school would cause threat or danger to student, other students, faculty or staff. Amends TCA Title 49, Chapter 6, Part 34. by *Beavers, *Fowlkes.

***House Bill No. 3194** -- Drug and Alcohol Rehabilitation - Provides for legislative oversight committee on alcohol and substance abuse services; sets certain standards concerning alcohol and drug abuse treatment in TennCare; makes certain revisions concerning alcohol and drug abuse services funding. Amends TCA Title 3; Title 8; Title 33; Title 56; Title 68 and Title 71. by *West, *Fowlkes, *Beavers.

***House Bill No. 3195** -- Real Estate Agents and Brokers - Defines and delineates powers and responsibilities of real estate "sponsoring brokers." Amends TCA Title 45, Chapter 13. by *Fitzhugh.

House Bill No. 3196 -- Game and Fish Laws - Requires TWRA to issue full-color waterfowl stamps as validation for resident waterfowl supplemental hunting licenses. Amends TCA Title 70, Chapter 2. by *Fitzhugh.

***House Bill No. 3197** -- Highway Signs - "George Faulkenberry Memorial Bridge," Buchanan Creek, U.S. 64. by *Fowlkes.

***House Bill No. 3198** -- Sexual Offenses - Defines "private residence" as "public place" for purposes of offense of public indecency if within such residence person exposes genitals in presence of child for purpose of sexual arousal or gratification; deletes reverse severability clause from original public indecency act. Amends TCA Section 39-13-511 and Chapter 542 of the Public Acts of 1994. by *Kerr.

House Bill No. 3199 -- Environmental Preservation - Creates Tennessee land investment program. by *Odom.

***House Bill No. 3200** -- Hospitals and Health Care Facilities - Accelerates licensure procedures for assisted living facilities for elderly. Amends TCA Title 68. by *Odom.

House Bill No. 3201 -- Parks, Natural Areas Preservation - Enacts "The State Park Fund Act of 1998." Amends TCA Title 11, Chapter 3 and Title 55, Chapter 4, Part 1. by *Odom.

House Bill No. 3202 -- Taxes, Sales - Repeals 1/2 cent of state sales tax if Sanders model of education value added assessment not properly implemented; allows citizen to challenge propriety of implementation and repeal tax. by *Head.

House Bill No. 3203 -- Criminal Offenses - Redefines "lewdness" to include indecent exposure. Amends TCA Section 29-3-101. by *Dunn, *Burchett, *Bone.

House Bill No. 3204 -- Taxes, Sales - Permits county to authorize local option sales tax of 0.25 percent for education by resolution of county legislative body. Amends TCA Title 67, Chapter 6, Part 7. by *Tindell, *Curtiss.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

***House Bill No. 3205** -- County Officers - Authorizes register of deeds of Smith County to collect \$2.00 data processing fee for purchase and maintenance of computers and supplies upon adoption of resolution by 2/3 vote of county legislative body. Amends TCA Section 8-21-1001. by *Buck.

House Bill No. 3206 -- Arrests - Requires bounty hunters to notify local chief enforcement officer of proposed taking into custody of person; requires eight hours of annual training. Amends TCA Title 40, Chapter 11. by *Towns, *Cooper B, *Bowers, *Pleasant, *Miller L, *Jones U (Shelby), *Brooks, *Brown.

House Bill No. 3207 -- Employees, Employers - Authorizes department of labor to enforce federal minimum wage laws; classifies each violation of wage law separate Class A misdemeanor. Amends TCA Title 50, Chapter 2, Part 1. by *Towns, *Cooper B, *Bowers, *Miller L, *Jones U (Shelby), *Brooks, *Brown.

House Bill No. 3208 -- Education, Higher - Requires legislative confirmation of all appointed members of the THEC, Tennessee board of regents and University of Tennessee board of trustees. Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by *Towns, *Cooper B, *Bowers, *Jones U (Shelby), *Brooks, *Brown.

House Bill No. 3209 -- Taxes, Sales - Exempts use of utilities by or sold to contractor or subcontractor when used in connection with testing of article in propulsion and aerospace flight dynamics test facility owned or operated by United States or agency thereof. Amends TCA Section 67-6-209. by *Lewis.

House Bill No. 3210 -- Coffee County - Subject to local approval, increases size of highway commission from five to six members; replaces county judge with county executive as ex-officio member of commission; establishes new districts for commission members. Amends Chapter 8 of the Private Acts of 1971, as amended. by *Lewis.

***House Bill No. 3211** -- Tennessee Wildlife Resources Agency - Provides that proceeds generated from lands in Campbell and Scott Counties from the Royal Blue Wildlife Management Area be used by TWRA to manage and maintain such area. Amends TCA Title 11, Chapter 14, Part 3. by *Cross.

House Bill No. 3212 -- Tennessee Wildlife Resources Agency - Authorizes TWRA to promulgate rules and regulations establishing fees and guidelines for sport firing ranges and to contract for operation and maintenance of such facilities; requires fees to be deposited in wildlife resources fund. Amends TCA Title 70, Chapter 2, Part 2. by *Cross.

House Bill No. 3213 -- Tennessee Wildlife Resources Agency - Authorizes director to make expenditures from wetland acquisition fund to purchase "three sisters tract"/"Cameron, Trash and Orr tract" in Blount and Sevier counties. Amends TCA Section 11-14-401. by *Cross.

House Bill No. 3214 -- Municipal Government - Authorizes municipal electric distributors to provide through six pilot projects, cable television and Internet access services. Amends TCA Title 7, Chapters 52 and 59 and Title 65, Chapter 25. by *Cross.

House Bill No. 3215 -- Privacy, Confidentiality - Permits disclosure of identifying information of patient with written consent of patient in addition to presently authorized releases. Amends TCA Title 63 and Title 68, Chapter 11. by *Eckles.

***House Bill No. 3216** -- Mental Illness - Revises law concerning delivery of mental health services Amends TCA Title 33. by *Eckles.

House Bill No. 3217 -- Alcoholic Beverages - Redefines "convention center" in relation to premises where certain alcoholic beverages can be consumed. Amends TCA Section 57-4-102(10)(A). by *Halteman Harwell, *West, *Jones, S., *Langster, *Arriola, *Boner, *Robinson, *Odom.

House Bill No. 3218 -- Insurance, Health, Accident - Permits eye care provider to join any health benefits plan as provider of eye care services if provider agrees to accept plan's terms and conditions; permits patients to choose credentialed eye care provider independent of and without referral from any other provider or entity. Amends TCA Title 56. by *Hargrove.

***House Bill No. 3219** -- Motor Vehicles, Titling and Registration - Delays issuance of new registration plates from 1/1/2000 to 1/1/2001. Amends TCA Title 55, Chapter 4, Part 1. by *Hargrove.

House Bill No. 3220 -- Local Education Agency - Prohibits local boards of education from paying dues or other payments from tax funds to organizations organized or operated as advocacy group for school boards or members. Amends TCA Section 49-2-203. by *Winningham.

***House Bill No. 3221** -- Pensions and Retirement Benefits - Increases teacher's maximum retirement benefit from 48 percent of average final compensation to 60 percent. Amends TCA Section 8-36-206. by *Winningham.

***House Bill No. 3222** -- Courts, General Sessions - Gives general sessions court judge authority to suspend costs and litigation taxes for indigent criminal defendant. by *Stulce.

***House Bill No. 3223** -- Fair Trade Laws - Enacts "Unfair Retailer's Cigarette Sales Law". Amends TCA Title 47, Chapter 25, Part 3. by *Rinks.

House Bill No. 3224 -- DUI/DWI Offenses - Makes fourth offense of DUI Class E felony; authorizes taking blood at scene of accident with personal injury or death if probable cause to suspect DUI; makes results of blood test admissible in court. Amends TCA Title 55, Chapter 10, Part 4. by *Kent, *Head, *Whitson, *Cole (Dyer), *Armstrong, *Naifeh, *Cole (Carter), *Rhinehart, *Kisber, *Chumney, *Rinks, *Godsey, *Stulce, *Roach, *Walley, *DeBerry J, *Haley, *Bittle, *Maddox, *Pinion, *Ford S, *Curtiss, *White, *Lewis, *Fitzhugh, *Cross, *Givens, *Mumpower, *Ferguson, *Gunnels, *Halteman Harwell, *Stamps, *Tindell, *Walker, *DeBerry L, *Beavers, *Bird, *Hassell, *Burchett, *Ritchie, *Sharp, *Hood, *West, *McDaniel, *Eckles, *Jones U (Shelby), *Frale, *Hicks, *Caldwell, *Sargent, *Garrett, *Langster, *McDonald, *Hargett, *McKee, *Phelan, *Dunn, *Kerr, *Pleasant, *McAfee, *Wood, *Davis R, *Buck.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 3225 -- Teachers - Requires teachers to pass eighth grade proficiency test at 70 percent or higher score to retain certification. Amends TCA Title 49, Chapter 5. by *Wood.

House Bill No. 3226 -- Taxes, Sales - Exempts materials sold to fire protection sprinkler contractor that are used in out-of-state contracts from sales and use tax. Amends TCA Title 67, Chapter 6, Part 3. by *Kent.

***House Bill No. 3227** -- Civil Procedure - Prohibits expenditure of public funds to change name of person in custody and care of department of correction. Amends TCA Title 29, Chapter 8. by *Kent.

House Bill No. 3228 -- Economic and Community Development - Authorizes \$250,000 per year on recurring basis for minority business enterprise development centers. Amends TCA Title 4, Chapter 26. by *DeBerry L, *Bowers.

House Bill No. 3229 -- Education - Enacts "21st Century Neighborhood Schools Act." Amends TCA Title 49. by *DeBerry L, *Bowers.

House Bill No. 3230 -- TennCare - Requires TennCare managed care organizations to remain open for new enrollment unless either the department of health or the department of commerce and insurance determines that remaining open threatens the well-being of TennCare enrollees. Amends TCA Title 71, Chapter 5, Part 1. by *DeBerry L, *Bowers.

House Bill No. 3231 -- Economic and Community Development - Authorizes \$98,000 per year for management and technical assistance to disadvantaged businesses through Tennessee Valley center for minority economic development. Amends TCA Title 4, Chapter 26. by *DeBerry L, *Bowers.

House Bill No. 3232 -- Development Districts - Expands powers of housing authority; authorizes community development agencies to act as housing districts. Amends TCA Title 13, Chapter 20, Part 2. by *DeBerry L, *Bowers.

***House Bill No. 3233** -- Criminal Offenses - Enacts "Anti-Gang and Street Terrorism Act of 1998." Amends TCA Title 39, Chapter 11; Title 39, Chapter 12; Section 39-13-204 and Title 40, Chapter 35. by *DeBerry L.

House Bill No. 3234 -- Criminal Offenses - Enacts "Anti-Gang and Street Terrorism Act of 1998." Amends TCA Title 39, Chapter 11; Title 39, Chapter 12; Section 39-13-204 and Title 40, Chapter 35. by *DeBerry L, *Kent, *DeBerry J, *Pleasant, *Hargett, *Haley, *Burchett, *Huskey, *Scroggs, *Miller L, *Armstrong.

***House Bill No. 3235** -- Real Estate Agents and Brokers - Exempts services of vacation lodging management businesses from real estate licensure provisions. Amends TCA Section 62-13-104. by *Huskey, *Rhinehart.

House Bill No. 3236 -- Taxes, Sales - Enacts "Convention Center and Tourism Development Financing Act of 1998.". Amends TCA Title 7 and Title 67, Chapter 6. by *Armstrong, *Ritchie, *Burchett, *Tindell, *Dunn, *Bittle.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 3237 -- Women - Creates economic council for women. by *Turner (Hamilton), *McMillan, *Brooks, *Bowers, *Langster, *Beavers, *Pruitt, *Brown, *Jones, S., *Eckles, *Halteman Harwell, *Cooper B, *Hassell, *Chumney, *Hargrove, *DeBerry L, *Naifeh, *Armstrong, *Rinks, *Arriola, *Williams (Williamson), *Davis R, *Walley, *Head, *McDaniel.

House Bill No. 3238 -- Trade Regulation - Makes it a Class C misdemeanor for soft drink bottler or manufacturer to sell or offer to sell quantity of soft drinks at specified price to retail merchant unless same quantity of soft drinks is offered at same price to all willing retail merchants. Amends TCA Title 47, Chapter 25. by *Givens.

***House Bill No. 3239** -- State Employees - Authorizes spouses and dependent children of state employees and retired state employees to continue state group insurance after death of state employee or retired state employee by paying employee share of the premium. Amends TCA Title 8, Chapter 27. by *Hargrove, *Naifeh.

***House Bill No. 3240** -- Local Government, General - Requires cities and counties to design new construction and renovation of school facilities in manner which will facilitate before and after school care programs and child care programs. Amends TCA Title 49. by *Hargrove, *Naifeh.

***House Bill No. 3241** -- Election Laws - Reduces campaign and lobbying restrictions placed on member of registry of election finance after leaving position. Amends TCA Section 2-10-203(j). by *Kisber.

***House Bill No. 3242** -- DUI/DWI Offenses - Provides that date of violation rather than date of conviction is used to determine if DUIs occur more than ten years apart for purpose of determining if offender is or is not multiple offender for purposes of enhanced punishment. Amends TCA Title 39, Chapter 13, Part 1; Title 39, Chapter 13, Part 2 and Title 55, Chapter 10, Part 4. by *Head.

***House Bill No. 3243** -- Mental Health and Mental Retardation, Dept. of - Requires department to make certain payments to the Moccasin Bend Mental Health Institute and other RMHIs in order for facilities to retain accreditation. Amends TCA Title 33 and Title 71. by *Stulce.

House Bill No. 3244 -- Insurance, Health, Accident - Redefines "emergency medical condition" for health insurance policies to provide that determination of such condition shall be made using standard of prudent layperson who possesses average knowledge of health and medicine. Amends TCA Section 56-7-2355. by *Jackson, *Eckles, *Jones, S..

House Bill No. 3245 -- Taxes - Exempts partnership from income taxation on stocks if 100 percent of partnership owned directly by two or more corporations Amends TCA Title 67, Chapter 2, Part 1. by *West, *Kisber.

House Bill No. 3246 -- DUI/DWI Offenses - Requires court to expunge first conviction of person with only one DUI that occurred before age 25, no property damage or personal injury was involved, five years have elapsed and the person has had no subsequent DUI convictions. Amends TCA Title 55, Chapter 10, Part 4. by *Jones U (Shelby).

House Bill No. 3247 -- Taxes, Sales - Deletes requirement of 2/3 county commission vote on eliminating Shelby County trustee's commission on receiving and distributing local option sales tax. Amends TCA Section 67-6-712. by *Jones U (Shelby), *Towns, *Brooks, *Brown.

House Bill No. 3248 -- Libraries - Requires, for public library which is joint operation, legislative body of county or city that provides funding for operational costs, exclusive of funding for capital costs, to appoint library board of seven members. Amends TCA Section 10-3-103. by *Jones U (Shelby), *Towns, *Brown.

House Bill No. 3249 -- County Officers - Requires sheriff to provide same level of patrolling or enforcement of law in all municipalities in county if provides such services in some municipalities in county notwithstanding fact that municipality has police department; authorizes municipalities to specifically waive service by adoption of ordinance. Amends TCA Title 8, Chapter 8. by *Jones U (Shelby), *Cooper B, *Brown, *Armstrong, *Towns, *Brooks.

***House Bill No. 3250** -- Education, Dept. of - Creates division of dropout prevention; provides for transfer and consolidation of certain resources within such new division. Amends TCA Title 49, Chapter 1, Part 2 and Title 49, Chapter 1, Part 5. by *Jones U (Shelby), *Cooper B, *Brown, *Armstrong, *Towns, *Brooks, *Langster.

***House Bill No. 3251** -- Education - Creates office of dropout prevention within department of education to implement and operate model dropout prevention program; requires commissioner to hire full-time personnel to staff office. Amends TCA Section 49-1-520. by *Jones U (Shelby), *Cooper B, *Brown, *Armstrong, *Towns, *Brooks, *Langster.

House Bill No. 3252 -- Annexation - Creates annexation plan of service review commission. Amends TCA Title 6, Chapter 5 and Title 6, Chapter 5. by *Jones U (Shelby).

House Bill No. 3253 -- Alcoholic Beverages - Allows service of alcoholic beverage at race meetings. Amends TCA Title 4, Chapter 36 and Title 57, Chapter 4. by *Jones U (Shelby).

House Bill No. 3254 -- Tort Liability - Increases minimum limits of liability insurance coverage local governmental entity must carry to pay for damages awarded in tort actions if such entity elects to purchase such insurance. Amends TCA Title 29, Chapter 20. by *Jones U (Shelby).

House Bill No. 3255 -- Municipal Government - Allows city to delegate power to health education and housing facility corporation to contract with lessees for payment in lieu of taxes. Amends TCA Section 48-101-312. by *Jones U (Shelby), *Cooper B, *Brown, *Armstrong, *Towns, *Brooks.

***House Bill No. 3256** -- Correctional Programs - Clarifies prisoners sentenced to county workhouse can be utilized for work programs inside city limits. Amends TCA Title 41, Chapter 2. by *Jones U (Shelby), *Towns, *Brown, *Langster.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 3257 -- Education, Higher - Increases number of minority teaching fellow positions from 106 to 116; increases maximum number per year from 29 to 35. Amends TCA Section 49-4-706. by *Jones U (Shelby), *Langster.

House Bill No. 3258 -- Equalization Board - Revises membership of state board of equalization to include member who represents taxpayers in contested cases. Amends TCA Title 4. by *Jones U (Shelby).

House Bill No. 3259 -- Economic and Community Development - Reduces minimum poverty level to qualify for enterprise zone designation from 20 to 15 percent. Amends TCA Title 13, Chapter 28. by *Jones U (Shelby), *Pruitt, *Langster.

***House Bill No. 3260** -- Tort Liability - Provides certain immunity from liability for donations of drugs and medical supplies; enacts "Good Samaritan Drug and Medical Supply Donation Act." Amends TCA Title 29, Chapter 34 and Title 53. by *Bowers.

***House Bill No. 3261** -- Economic and Community Development - Enacts "Uniform Community Development District Act of 1998." Amends TCA Title 7. by *Sands.

House Bill No. 3262 -- Local Education Agency - Requires local education agencies to use a certain portion of BEP funding for certain specified purposes. Amends TCA Section 8-27-303. by *Hood.

House Bill No. 3263 -- Health - Authorizes only practitioners of the healing arts to practice hypnotherapy. Amends TCA Title 63. by *Hood, *Fraleigh, *Dunn.

House Bill No. 3264 -- Pensions and Retirement Benefits - Provides that retirement benefit for state employees and teachers retiring with at least 30 years of creditable service shall be at least federal individual poverty income amount. Amends TCA Section 8-36-209. by *Hood, *Fraleigh, *Boner, *Eckles.

House Bill No. 3265 -- Memorials, Government Officials - Directs chancellor of state university and community college system to erect plaque on MTSU campus honoring James McGill Buchanan, MTSU graduate and Nobel laureate in economics; MTSU Foundation to bear cost of such marker. by *Hood, *Eckles, *Beavers, *Sands, *Fraleigh, *Boner, *Lewis, *Fowlkes.

House Bill No. 3266 -- Insurance, Health, Accident - Allows local school board members to be included in local education group insurance program. Amends TCA Section 8-27-303. by *Bone.

House Bill No. 3267 -- Solid Waste Disposal - Provides for collection of surcharge fee on solid waste to be collected at transfer station rather than solid waste disposal facility or incinerator unless otherwise provided by contract between transfer station or facility or incinerator, only one surcharge for same solid waste. Amends TCA Section 68-211-835(d). by *Bone.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 3268 -- Gambling - Allocates net proceeds of state lottery's revenues to scholarship fund to pay Tennessee residents' tuition costs for post-secondary education and to grant program to pay fees necessary for Tennessee residents to attend Tennessee technology centers. Amends TCA Title 39 and Title 49. by *Bone.

House Bill No. 3269 -- Nurses, Nursing - Expands powers and duties of board concerning investigative and disciplinary process and to issue advisory private letter rulings for certain purposes. Amends TCA Section 63-7-115 and Section 63-7-207. by *Kernell.

***House Bill No. 3270** -- Administrative Procedure - Authorizes government operations committees to extend for one year governmental entities which are due to terminate June 30 of year of proposed extension. Amends TCA Section 4-29-104. by *Kernell.

***House Bill No. 3271** -- Boards and Commissions - Requires state regulatory boards and health related boards or committees to record meetings and make such recordings available to the public upon request. Amends TCA Title 4, Title 62 and Title 63. by *Kernell.

***House Bill No. 3272** -- Campaigns - Allows candidates for state or local public office in judicial districts with population greater than 200,000 to contribute personal funds up to \$60,000 to campaign. Amends TCA Title 2, Chapter 10, Part 3. by *Kernell.

***House Bill No. 3273** -- Racing - Creates the West Tennessee racing commission. Amends TCA Title 4, Chapter 36. by *Kernell.

House Bill No. 3274 -- Board of Regents - Renames "Middle Tennessee State University" to be "University of Middle Tennessee." Amends TCA Title 49, Chapters 7 and 8. by *Hood, *Eckles, *Williams (Williamson), *Sands, *Fowlkes, *Fraley, *Stamps, *Boner, *Bone, *Curtiss, *Rhinehart, *Beavers, *Robinson.

House Bill No. 3275 -- Insurance Companies, Agents, Brokers - Requires insurance companies to inform insureds when services are charged to their accounts and to give complete and understandable record of all activity in insured's account when requested to do so by insured. Amends TCA Title 56. by *DeBerry J.

House Bill No. 3276 -- Public Buildings - Authorizes municipality to agree to indemnify public building authority, its directors, officers and employees, for negligence. Amends TCA Section 12-10-114. by *Burchett.

***House Bill No. 3277** -- Tort Liability - Increases governmental tort liability limit for electric utilities (for non-electrical activity) to statutory amount plus consumer price index increase amount. Amends TCA Title 29, Chapter 20. by *Williams (Williamson).

House Bill No. 3278 -- Railroads - Increases from six months to one year time when railroad company must install automatic warning or protective devices at certain crossings. Amends TCA Title 65, Chapter 11, Part 1. by *Robinson, *Buck.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 3279 -- Railroads - Specifies that inspection, control and supervision fees derived from railroads be used by department of transportation solely for railroad related programs. Amends TCA Title 65, Chapter 3, Part 2. by *McDonald.

House Bill No. 3280 -- Insurance Companies, Agents, Brokers - Authorizes limited insurance representative license without examination to person meeting requirements for licensure, to include travel or auto related coverages offered by rental company for rental of vehicles. Amends TCA Section 56-6-138. by *McKee.

***House Bill No. 3281** -- Nurses, Nursing - Authorizes board to issue license to licensed practical nurse when in opinion of board applicant has attained sufficient experience in field of health care. Amends TCA Title 63, Chapters 6 and 7. by *Ferguson.

***House Bill No. 3282** -- State Government - Creates Office of Title VI Compliance; assigns certain duties and powers to such authority. Amends TCA Title 4, Chapter 21. by *Langster.

***House Bill No. 3283** -- Taxes, Privilege - Repeals tax on instruments evidencing an indebtedness, commonly referred to as "mortgage tax." - Repeals TCA Section 67-4-409(b). by *Stamps.

***House Bill No. 3284** -- Taxes, Privilege - Repeals tax imposed on transfers of realty. - Repeals TCA Section 67-4-409(a). by *Stamps.

***House Bill No. 3285** -- Taxes, Inheritance Gift - Exempts principal residence and real property held for agriculture use from inheritance taxes. Amends TCA Title 67, Chapter 8. by *Stamps.

***House Bill No. 3286** -- Custody and Support - Authorizes court to enforce orders of visitation through license denial and revocation. Amends TCA Title 36, Chapter 6. by *Patton, *Bowers, *McMillan, *Ford S, *Hood, *Haley, *Kerr, *DeBerry J, *Turner (Shelby), *Beavers, *Kernell, *McDonald, *Bone, *Jones U (Shelby), *Williams (Williamson), *Pinion, *Ridgeway.

House Bill No. 3287 -- Education - Provides state funding for alternative schools at a certain level; requires LEAs to annually report certain information to commissioner of education. Amends TCA Title 49, Chapter 3, Part 3 and Title 49, Chapter 6, Part 34. by *Turner (Hamilton), *Stulce, *Langster, *Pruitt, *Pinion.

House Bill No. 3288 -- Banks and Financial Institutions - Prohibits financial institutions from assessing ATM usage fee against its customers; limits fee to \$1.00 per transaction for non-customers. Amends TCA Title 45, Chapter 16, Part 1. by *Turner (Hamilton), *Stulce, *Langster, *Pleasant.

House Bill No. 3289 -- Courts, Circuit - Authorizes circuit court judges in Davidson County to appoint master. Amends TCA Title 17, Chapter 2. by *Jones, S..

***House Bill No. 3290** -- Insurance, Health, Accident - Requires, on or after 7/98, health plan coverage for basic rehabilitation services including physical, occupational and speech therapy. Amends TCA Title 56, Chapter 7, Part 25. by *Odom.

***House Bill No. 3291** -- Election Laws - Requires elected officials to specifically name in disclosure statement, all firms and/or organizations in which such official has investments. Amends TCA Title 8, Chapter 50, Part 5. by *Hargett.

House Bill No. 3292 -- DUI/DWI Offenses - Creates pilot program in three judicial districts to randomly place under surveillance offenders who have had driver licenses suspended or revoked. Amends TCA Title 8, Chapter 7, Part 3 and Title 55, Chapter 10. by *Pleasant, *Hargett, *Haley.

House Bill No. 3293 -- Courts, General Sessions - Revises procedure by which special judge selected when general sessions or juvenile court judge unable to hold court. Amends TCA Title 16, Chapter 15, Part 2. by *Scroggs.

***House Bill No. 3294** -- Education - Enacts "Tennessee Twenty-First Century Neighborhood Schools Act." Amends TCA Title 49 accordingly. by *Jones U (Shelby).

***House Bill No. 3295** -- Local Government, General - Provides procedures for municipal and county governments to cooperatively establish urban growth areas, boundaries and plans. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 13; Title 49; Title 67 and Title 68. by *Kisber.

House Bill No. 3296 -- Education, Dept. of - Abolishes Tennessee State Special School Teachers' Sick Leave Bank Act; includes all employees and teachers at state special schools in general state employees sick leave bank. Amends TCA Title 8, Chapter 50, Part 9, and to repeal Title 49, Chapter 50, Part 11. by *Davis R.

***House Bill No. 3297** -- Sunshine Law - Makes meetings of certain organizations subject to open meetings law; makes certain records subject to open records law. Amends TCA Section 8-44-102 and Section 10-7-503. by *Williams (Williamson).

***House Bill No. 3298** -- Annexation - Revises annexation provisions controlling plan of services promulgation and receipt and distribution of tax proceeds; limits annexation across county lines on initiative. Amends TCA Sections 6-51-102, 6-51-108, 6-51-115, and Title 6, Chapter 51, Part 1. by *Curtiss, *West.

House Bill No. 3299 -- Professions and Occupations - Excludes Christian Science practitioners from TCA Title 63, Chapter 22, regarding professional counselors, marital and family therapists and clinical pastoral therapists. Amends TCA Section 63-22-204. by *Mumpower.

***House Bill No. 3300** -- Auditing - Permits comptroller to initiate audit and supporting investigation or review on entities receiving grants from state. Amends TCA Section 4-3-304. by *White.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

***House Bill No. 3301** -- County Officers - Authorizes counties to adopt sick leave for county elected officials by 2/3 vote of county legislative body. Amends TCA Title 5, Chapter 5 and Title 8, Chapter 35. by *Ferguson.

***House Bill No. 3302** -- Banks and Financial Institutions - Rewrites law on access to safe deposit boxes after death of sole or joint renter. Amends TCA Title 45, Chapter 2, Part 9 and Sections 67-8-417 and 67-8-418. by *Hargrove.

***House Bill No. 3303** -- Education - Authorizes state agencies to remedy local school placed on probation and meet needs for capital expenditures. Amends TCA Titles 4, 9, 12 and 49. by *Davidson, *McDaniel.

***House Bill No. 3304** -- Education, Dept. of - Authorizes department to develop plan to transfer all or part of state testing program from University of Tennessee to department. Amends TCA Title 49, Chapter 1. by *Whitson, *McDaniel.

***House Bill No. 3305** -- Custody and Support - Creates federal waiver process through U.S. department of health and human services for operation of centralized unit for collection and disbursement of child and spousal support operated by state court clerk's conference. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 18; Title 34; Title 36; Title 37; and Title 71. by *Haley, *McDaniel.

***House Bill No. 3306** -- Taxes, Sales - Redefines "industrial machinery" for purposes of sales and use tax. Amends TCA 67-6-102. by *Kisber, *McDaniel, *Beavers, *Head.

***House Bill No. 3307** -- Correction, Dept. of - Merges probation and parole duties; creates board of probation and parole. Amends TCA 4-5-106; 4-29-223; 8-7-206; 8-50-501; 37-1-612; 38-6-102, 38-12-103, Title 39, Chapter 13, Parts 1, 5, and 7; 39-16-609; 39-17-432; Title 40; Title 41; and 55-50-501. by *Kisber.

***House Bill No. 3308** -- Bond Issues - Authorizes \$355,500,000 bond issue to fund state projects. by *McDaniel, *Kisber.

***House Bill No. 3309** -- Appropriations - Makes appropriations to defray expenses of state government for fiscal year beginning July 1, 1998. by *McDaniel, *Kisber.

House Bill No. 3310 -- General Assembly - Specifies that written reports to general assembly be delivered to speakers of senate and house, and only to those members requesting such reports. Amends TCA Title 1 through Title 70. by *Burchett.

House Bill No. 3311 -- General Assembly, Studies - Limits number of study committees in senate and house to number of standing committees in the senate and house, respectively. Amends TCA Title 3, Chapter 4, Part 1. by *Burchett.

House Bill No. 3312 -- Culture - Exempts certain not-for-profit arts organizations from property taxation. Amends TCA Title 67, Chapter 5, Part 2. by *Garrett.

House Bill No. 3313 -- Highway Signs - "Bill Morris Parkway," State Highway 385, Shelby County. by *Jones U (Shelby), *Haley, *Chumney, *Miller L, *Hassell.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

***House Bill No. 3314** -- State Prisoners - Requires convicts released from place of confinement to give warden address at which will reside upon release and to report to board of paroles in county of residence within 72 hours of release to confirm address. Amends TCA Title 41, Chapter 21, Part 2. by *Burchett.

***House Bill No. 3315** -- Domestic Violence - Enacts "Domestic Violence Lethality and Fatality Review Panel Act of 1998." Amends TCA Section 4-29-220. by *Burchett.

***House Bill No. 3316** -- Business and Commerce - Requires licensed pawnbrokers in Knox County to have computer systems capable of transferring information regarding pledged goods by January 1, 1999. Amends TCA Section 45-6-221. by *Burchett.

***House Bill No. 3317** -- Highways, Roads and Bridges - Enacts "Tennessee Private Toll Road Act of 1998." Amends TCA Title 54. by *White.

***House Bill No. 3318** -- Banks and Financial Institutions - Prohibits financial institutions from assessing ATM usage fee against its customers; limits fee to \$1.00 per transaction for non-customers. Amends TCA Title 45, Chapter 16, Part 1. by *Jackson, *Newton, *Kernell.

House Bill No. 3319 -- Banks and Financial Institutions - Prohibits financial institutions from charging usage fee for foreign access ATM cards. Amends TCA Section 45-16-103. by *Jackson, *Kernell.

***House Bill No. 3320** -- TennCare - Revises provisions concerning claims against an estate for certain medicaid expenditures. Amends TCA Title 71, Chapter 5, Part 1. by *Bird.

***House Bill No. 3321** -- Fees - Increases penalty, from not exceeding \$25.00 to not exceeding \$500, local government may impose for false alarms on security systems for each false alarm when number of false alarms exceed three over 12 month period. Amends TCA Section 62-32-321. by *Sargent.

***House Bill No. 3322** -- Wildlife Resources Commission - Requires commission to conduct public hearing before permanent rules and regulations adopted, notice of such public hearing must be published in newspapers at least 30 days before hearing. Amends TCA Title 4, Chapter 5 and Title 70. by *Pinion.

House Bill No. 3323 -- Pensions and Retirement Benefits - Authorizes retired educators participating in state insurance plan to pay graduated rate depending on years of service of such retired educator. Amends TCA Section 8-27-306. by *Davidson.

House Bill No. 3324 -- Common Carriers - Prohibits issuance of citations in lieu of arrest for registration, overweight and safety violations involving commercial motor vehicles, unless driver agrees to pay fine immediately via electronic funds transfer. Amends TCA Title 40, Chapter 7. by *Davidson.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

***House Bill No. 3325** -- Salaries and Benefits - Increases salary of commissioner of finance and administration to \$125,000 Amends TCA Title 3 and Title 8. by *Miller L.

***House Bill No. 3326** -- Pensions and Retirement Benefits - Authorizes local education insurance committee to establish schedule of premium payments for retirees from local education agencies participating in group insurance plan. Amends TCA Title 8, Chapter 27, Part 3. by *Rhinehart.

***House Bill No. 3327** -- Local Government, General - Removes prohibition on state and local governments operating hot-mix asphalt plants. Amends TCA Section 12-8-101. by *Cross.

***House Bill No. 3328** -- Right to Die - Deletes witness requirement for living wills. Amends TCA Title 32, Chapter 11, Part 1. by *Kernell.

***House Bill No. 3329** -- Right to Die - Deletes witness requirement for durable power of attorney. Amends TCA Section 34-6-203. by *Kernell.

***House Bill No. 3330** -- Pensions and Retirement Benefits - Allows for separation of pension plans for employees of municipally owned utility systems from general municipal pension plans. Amends TCA Title 7, Chapter 52. by *Tindell.

House Bill No. 3331 -- Medical Occupations - Deletes prohibition against practice of naturopathy. Amends TCA Section 63-6-205. by *Williams (Williamson).

***House Bill No. 3332** -- Criminal Offenses - Prohibits persons from professional engaging in practice of ticket scalping. Amends TCA Title 39, Chapter 17, Part 11. by *Williams (Williamson).

***House Bill No. 3333** -- Highway Signs - Provides for erection of deer crossing and no parking signs on Flat Creek Bridge on S.R. 99 in Maury County and on S.R. 99 right-of-way at points within 1,200 feet in each direction from center of such bridge Amends Chapter 384 of the Public Acts of 1993. by *Sands.

***House Bill No. 3334** -- Hazardous Materials - Exempts farmers transporting certain agricultural products from certain requirements relative to transporting hazardous materials. Amends TCA Title 55 and Title 68. by *Givens.

***House Bill No. 3335** -- Pharmacy - Allows pharmacist to disclose patient information to physician without liability if believed to be in patient's best interest. Amends TCA Title 63, Chapter 10. by *Dunn.

House Bill No. 3336 -- State Employees - Provides protections for state employees when state entities reorganized. Amends TCA Title 8, Chapter 30. by *Chumney.

House Bill No. 3337 -- State Employees - Provides for annual cost-of-living pay adjustment for state employees based on average of preceding two year increase in consumer price index. Amends TCA Title 8, Chapter 30, Part 2. by *Head, *McMillan, *Jones U (Shelby), *DeBerry J, *Kernell, *Eckles, *McDonald, *Pruitt, *Jones, S., *Ridgeway, *Bone, *Pinion, *Langster, *Williams (Williamson), *Givens, *Westmoreland, *Huskey, *Boner, *Tindell, *Turner (Hamilton).

House Bill No. 3338 -- State Employees - Increases longevity pay for state employees and faculty of institutions of higher education from \$100 to \$150. Amends TCA Title 8, Chapter 23. by *Hargrove, *McMillan, *Head, *Jones U (Shelby), *DeBerry J, *Eckles, *McDonald, *Pruitt, *Jones, S., *Ridgeway, *Bone, *Pinion, *Langster, *Williams (Williamson), *Givens, *Kernell, *Westmoreland, *Huskey, *Boner, *Tindell, *Turner (Hamilton).

House Bill No. 3339 -- State Employees - Increases 401k match by state from \$20.00 to \$50.00 per month effective 7/1/98. Amends TCA Title 8, Chapter 25. by *Rhinehart, *Rhinehart, *Head, *McMillan, *Jones U (Shelby), *DeBerry J, *Eckles, *McDonald, *Pruitt, *Jones, S., *Ridgeway, *Bone, *Pinion, *Langster, *Williams (Williamson), *Givens, *Kernell, *Westmoreland, *Kent, *Huskey, *Boner, *Tindell, *Turner (Hamilton).

***House Bill No. 3340** -- Highway Signs - "Pat Head Summitt Parkway," S.R. 12, Cheatham County. by *Williams (Williamson), *Davidson.

***House Bill No. 3341** -- Evidence - Permits court to allow testimony of child under 13 who is victim of abuse or sexual abuse to be taken at criminal trial of defendant by one-way closed circuit television under certain circumstances. Amends TCA Title 24, Chapter 7; Title 37 and Title 40, Chapter 35. by *Sands.

***House Bill No. 3342** -- Taxes, Income - Raises limits on Hall income tax from \$9,000 for individuals to \$15,000 and from \$15,000 for couples to \$20,000. Amends TCA Title 67, Chapter 2. by *DeBerry J.

***House Bill No. 3343** -- Taxes, Income - Reduces rate on Hall income tax by 1 percent per year until tax eliminated. Amends TCA Title 67, Chapter 2. by *Stamps.

***House Bill No. 3344** -- Taxes, Franchise - Reduces franchise tax by 50 percent for small businesses employing less than 200 workers. Amends TCA Title 67, Chapter 4, Part 9. by *Stamps.

House Bill No. 3345 -- General Assembly - Limits to 21 number of paid office days during interim between sessions for members of general assembly. Amends TCA Title 3, Chapter 1. by *Stamps.

***House Bill No. 3346** -- Attorneys at Law - Prohibits attorneys from taking contingency fees in excess of 20 percent of gross amount of judgment in civil actions. Amends TCA Title 23. by *Kerr.

***House Bill No. 3347** -- Penal and Reformatory Institutions - Revises qualifications and compensation of warden of female penitentiary. Amends TCA Title 4, Chapters 3 and 6, and Title 41. by *Rhinehart.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

***House Bill No. 3348** -- Tennessee Wildlife Resources Agency - Increases from one to up to five number of free sport fishing days. Amends TCA Title 69 and Title 70. by *Cross.

***House Bill No. 3349** -- Children - Provides certain parental rights to certain non-custodial, biological parents. Amends TCA Title 36, Chapter 6. by *Chumney.

***House Bill No. 3350** -- Custody and Support - Removes presumption of custody by unwed mother; grants joint custody pending court determination. by *DeBerry J.

***House Bill No. 3351** -- Custody and Support - Requires at least 146 days annual visitation for non-custodial parent not found to be unfit. Amends TCA Title 36, Chapter 6. by *DeBerry J.

***House Bill No. 3352** -- Parks, Natural Areas Preservation - Transfers jurisdiction and control of Chucalissa Indian Village and Museum from University of Memphis to department of environment and conservation. by *Cooper B.

***House Bill No. 3353** -- Telecommunications - Requires certain actions by state and local governmental entities in order to shield minors from pornographic and obscene materials available on publicly purchased computers via the Internet. Amends TCA Title 4, Chapter 3, Part 55 and Title 39, Chapter 17, Part 9. by *Burchett.

***House Bill No. 3354** -- Telecommunications - Defines "rural incumbent local exchange telephone company"; specifies duties of such telephone companies. Amends TCA Section 65-4-201(d). by *Head.

***House Bill No. 3355** -- Bond Issues - Authorizes bond issue of \$12 million to department of environment and conservation for certain golf courses. by *McDaniel, *Kisber.

***House Bill No. 3356** -- Juvenile Offenders - Establishes "Tennessee Teen Court Program of 1998." Amends TCA Title 37. by *Givens.

House Bill No. 3357 -- Custody and Support - Revises child custody provisions to provide for specific attention to certain holidays. Amends TCA Title 36, Chapter 6. by *Miller L.

***House Bill No. 3358** -- Contractors - Authorizes board for licensing contractors to employ full-time legal counsel; compensation of such general counsel to be set by board. Amends TCA Section 62-6-106. by *Ferguson.

***House Bill No. 3359** -- Privacy, Confidentiality - Establishes program for designating address for victim of domestic abuse. Amends TCA Title 2, Title 36, Chapter 6. by *Pinion.

***House Bill No. 3360** -- Day Care - Provides for pilot, state-wide day care initiative. Amends TCA Title 49 and 71. by *DeBerry L.

House Bill No. 3361 -- Workers' Compensation - Excludes construction on structure for personal use from being considered as engaged in construction industry for purpose of coverage under Workers' Compensation Act. Amends TCA Section 50-6-113. by *Williams (Williamson).

***House Bill No. 3362** -- Children's Services, Dept. of - Requires public hearing at applicant's expense before department may issue license to operate or expand independent living facility for children in or at risk of being in state custody; requires department to evaluate program effectiveness and places moratorium on issuing licenses for such new facilities until evaluation completed. Amends TCA Title 37, Chapter 5, Part 1. by *Chumney.

***House Bill No. 3363** -- Health - Enacts "Tennessee Millennium Health Trust Fund Act." Amends TCA Title 67; 49; 63; 68 and 71. by *DeBerry L, *Hargrove, *Bowers.

***House Bill No. 3364** -- Highway Signs - Permits county legislative bodies in counties in which segments of S.R. 6 are located to recommend names of individuals on S.R. 6 bridges. by *Sands.

***House Bill No. 3365** -- Historical Sites - Enacts "Tennessee Preservation of Antiquities Act of 1998." by *Williams (Williamson).

***House Bill No. 3366** -- Lobbying, Lobbyists - Requires registered lobbyists to wear picture IDs when lobbying or on assignment at Legislative Plaza, War Memorial Building or Capitol when general assembly in session. Amends TCA Title 3, Chapter 6, Part 1. by *Jones, S., *Langster, *Eckles.

***House Bill No. 3367** -- TennCare - Requires TennCare program to ensure availability of providers within 20 miles or 20 minutes from enrollee's residence, whichever is less. Amends TCA Title 56; Title 68 and Title 71. by *Jackson.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 2074 -- Sunset Laws - State agencies publication committee, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 12, Chapter 7. by *Springer.

Senate Bill No. 2075 -- Sunset Laws - Tennessee wars commission, June 30, 2005. Amends TCA Title 4, Chapter 29. by *Springer.

Senate Bill No. 2079 -- Sunset Laws - Tennessee motor vehicle commission, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 55, Chapter 17. by *Springer.

Senate Bill No. 2083 -- Sunset Laws - Sex offender treatment board, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 39, Chapter 13. by *Springer.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

Senate Bill No. 2084 -- Sunset Laws - Department of employment security, June 30, 2004. by *Springer.

Senate Bill No. 2085 -- Sunset Laws - Appeals tribunal, department of employment security, June 30, 2004. Amends TCA Title 4, Chapter 29; Title 50, Chapter 7. by *Springer.

Senate Bill No. 2086 -- Sunset Laws - Board of review, department of employment security, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 7. by *Springer.

Senate Bill No. 2087 -- Sunset Laws - Employment security advisory council, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 7. by *Springer.

Senate Bill No. 2089 -- Sunset Laws - Historical commission, June 30, 2006. Amends TCA Title 4, Chapter 11 and Title 4, Chapter 29. by *Springer.

Senate Bill No. 2092 -- Sunset Laws - Cragfont restoration commission, June 30, 2006; prohibits new members from being appointed; terminates commission when not enough members for quorum. Amends TCA Title 4, Chapter 13 and Title 4, Chapter 29. by *Springer.

***Senate Bill No. 2094** -- Sunset Laws - Public livestock market board, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 44, Chapter 12. by *Springer.

***Senate Bill No. 2118** -- Sunset Laws - Higher education and technical institution publication committee, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 12, Chapter 7. by *Springer.

Senate Bill No. 2928 -- Knox County - Subject to local approval, adds exemption to amusement tax. Amends Chapter 82 of the Private Acts of 1991. by *Atchley.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2922 -- Motor Vehicles -- House Commerce Committee

***House Bill No. 2923** -- Contractors -- House Commerce Committee

House Bill No. 2924 -- Garland -- Local Bill Held on House Desk

House Bill No. 2925 -- Employees, Employers -- House Consumer & Employees Affairs Committee

House Bill No. 2926 -- Appeal and Review -- House Judiciary Committee

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 2927 -- Utilities, Utility Districts -- House State & Local Government Committee

***House Bill No. 2928** -- Tort Liability -- House Judiciary Committee

***House Bill No. 2929** -- Gambling -- House Judiciary Committee

***House Bill No. 2930** -- Hospitals and Health Care Facilities -- House Health & Human Resources Committee

***House Bill No. 2931** -- Child Abuse -- House Judiciary Committee

***House Bill No. 2932** -- Utilities, Utility Districts -- House State & Local Government Committee

House Bill No. 2933 -- Emergency Communications Districts -- House State & Local Government Committee

House Bill No. 2934 -- Alcoholic Beverage Commission -- House Government Operations Committee

House Bill No. 2935 -- Alcoholic Beverages -- House State & Local Government Committee

***House Bill No. 2936** -- Taxes -- House Finance, Ways & Means Committee

House Bill No. 2937 -- Dyersburg -- Local Bill Held on House Desk

House Bill No. 2938 -- Hospitals and Health Care Facilities -- House Health & Human Resources Committee

House Bill No. 2939 -- Hospitals and Health Care Facilities -- House Government Operations Committee

***House Bill No. 2940** -- Criminal Procedure -- House Judiciary Committee

House Bill No. 2941 -- Dyer -- Local Bill Held on House Desk

House Bill No. 2942 -- County Officers -- House Judiciary Committee

House Bill No. 2943 -- Unicoi County -- Local Bill Held on House Desk

***House Bill No. 2944** -- Insurance Companies, Agents, Brokers -- House Government Operations Committee

House Bill No. 2945 -- Insurance Companies, Agents, Brokers -- House Judiciary Committee

House Bill No. 2946 -- Highway Signs -- House Transportation Committee

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

***House Bill No. 2947** -- Civil Service -- House State & Local Government Committee

House Bill No. 2948 -- Alcoholic Beverages -- House State & Local Government Committee

House Bill No. 2949 -- Insurance, Health, Accident -- House Government Operations Committee

House Bill No. 2950 -- Sullivan County -- Local Bill Held on House Desk

***House Bill No. 2951** -- Criminal Offenses -- House Judiciary Committee

House Bill No. 2952 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 2953 -- Culture -- House Government Operations Committee

House Bill No. 2954 -- County Officers -- House State & Local Government Committee

***House Bill No. 2955** -- Polygraph -- House Commerce Committee

***House Bill No. 2956** -- Criminal Procedure -- House Judiciary Committee

***House Bill No. 2957** -- Drugs -- House Judiciary Committee

House Bill No. 2958 -- Real Estate Agents and Brokers -- House Commerce Committee

House Bill No. 2959 -- Real Estate Agents and Brokers -- House Commerce Committee

House Bill No. 2960 -- Real Estate Agents and Brokers -- House Commerce Committee

House Bill No. 2961 -- Real Estate Agents and Brokers -- House Commerce Committee

House Bill No. 2962 -- Westmoreland -- Local Bill Held on House Desk

House Bill No. 2963 -- Highway Signs -- House Transportation Committee

House Bill No. 2964 -- Insurance, Motor Vehicles -- Caption Bill Held on House Desk

House Bill No. 2965 -- DUI/DWI Offenses -- House Judiciary Committee

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 2966 -- Real Property -- House State & Local Government Committee

House Bill No. 2967 -- Limitation of Actions -- House Judiciary Committee

House Bill No. 2968 -- Taxes, Real Property -- House State & Local Government Committee

House Bill No. 2969 -- Education, Higher -- House Education Committee

House Bill No. 2970 -- Health -- House Health & Human Resources Committee

***House Bill No. 2971** -- Criminal Procedure -- House Judiciary Committee

***House Bill No. 2972** -- Highway Signs -- House Transportation Committee

House Bill No. 2973 -- Taxes, Litigation -- House Judiciary Committee

House Bill No. 2974 -- Correctional Programs -- House Judiciary Committee

House Bill No. 2975 -- Taxes, Sales -- House Finance, Ways & Means Committee

House Bill No. 2976 -- Local Government, General -- House State & Local Government Committee

House Bill No. 2977 -- Parks, Natural Areas Preservation -- House Conservation & Environment Committee

House Bill No. 2978 -- Parks, Natural Areas Preservation -- House Conservation & Environment Committee

House Bill No. 2979 -- Campaigns -- House State & Local Government Committee

House Bill No. 2980 -- Bail, Bail Bonds -- House Government Operations Committee

House Bill No. 2981 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 2982 -- Election Laws -- House State & Local Government Committee

House Bill No. 2983 -- Advertising -- House Transportation Committee

***House Bill No. 2984** -- Pensions and Retirement Benefits -- House Education Committee

***House Bill No. 2985** -- Historical Sites -- House Conservation & Environment Committee

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

- *House Bill No. 2986** -- Highway Signs -- House Transportation Committee
- House Bill No. 2987** -- Byrdstown -- Local Bill Held on House Desk
- House Bill No. 2988** -- Basic Education Program (BEP) -- House Education Committee
- House Bill No. 2989** -- Education, Higher -- House Education Committee
- House Bill No. 2990** -- Education -- House Education Committee
- House Bill No. 2991** -- Taxes, Sales -- House Finance, Ways & Means Committee
- House Bill No. 2992** -- Education, Higher -- Caption Bill Held on House Desk
- House Bill No. 2993** -- Motor Vehicles, Titling and Registration -- House Transportation Committee
- House Bill No. 2994** -- Trade Regulation -- House Commerce Committee
- House Bill No. 2995** -- Assessors -- House State & Local Government Committee
- House Bill No. 2996** -- Bonding, Surety and Professional -- House State & Local Government Committee
- House Bill No. 2997** -- Taxes, Real Property -- House State & Local Government Committee
- House Bill No. 2998** -- Taxes -- House State & Local Government Committee
- House Bill No. 2999** -- Berry Hill -- Local Bill Held on House Desk
- House Bill No. 3000** -- Pharmacy -- Caption Bill Held on House Desk
- House Bill No. 3001** -- Aged Persons -- House Health & Human Resources Committee
- House Bill No. 3002** -- Mental Health and Mental Retardation, Dept. of -- House Government Operations Committee
- House Bill No. 3003** -- Alcoholic Beverages -- House State & Local Government Committee
- *House Bill No. 3004** -- Criminal Procedure -- House Judiciary Committee
- House Bill No. 3005** -- Taxes, Real Property -- House State & Local Government Committee

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 3006 -- Basic Education Program (BEP) -- House Education Committee

House Bill No. 3007 -- Basic Education Program (BEP) -- House Education Committee

House Bill No. 3008 -- Courts, Juvenile -- House Children and Family Affairs Committee

House Bill No. 3009 -- Courts, Juvenile -- House Children and Family Affairs Committee

House Bill No. 3010 -- Minority Affairs -- House Health & Human Resources Committee

House Bill No. 3011 -- Financial Institutions, Dept. of -- House Commerce Committee

House Bill No. 3012 -- Motor Vehicles -- House Transportation Committee

House Bill No. 3013 -- Safety, Dept. of -- House Transportation Committee

***House Bill No. 3014** -- Education -- House Education Committee

House Bill No. 3015 -- Fees -- House State & Local Government Committee

House Bill No. 3016 -- Tennessee Housing Development Agency -- House State & Local Government Committee

House Bill No. 3017 -- Tennessee Higher Education Commission -- House Education Committee

***House Bill No. 3018** -- Day Care -- House Health & Human Resources Committee

House Bill No. 3019 -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

House Bill No. 3020 -- Taxes, Gasoline, Petroleum Products -- House Transportation Committee

House Bill No. 3021 -- Paternity -- Caption Bill Held on House Desk

House Bill No. 3022 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3023 -- Polygraph -- House Commerce Committee

***House Bill No. 3024** -- Banks and Financial Institutions -- House Commerce Committee

House Bill No. 3025 -- Courts -- House Judiciary Committee

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

***House Bill No. 3026** -- Emergency Communications Districts -- House State & Local Government Committee

***House Bill No. 3027** -- Building Commission, State -- House Conservation & Environment Committee

House Bill No. 3028 -- Victims Rights -- House Judiciary Committee

House Bill No. 3029 -- Tennessee Bureau of Investigation -- House Judiciary Committee

House Bill No. 3030 -- Alcoholic Beverages -- House State & Local Government Committee

***House Bill No. 3031** -- Planning, Public -- House State & Local Government Committee

***House Bill No. 3032** -- Custody and Support -- House Judiciary Committee

House Bill No. 3033 -- Securities -- House State & Local Government Committee

House Bill No. 3034 -- Education, Higher -- House Education Committee

***House Bill No. 3035** -- Bond Issues -- House Finance, Ways & Means Committee

House Bill No. 3036 -- Business and Commerce -- House Commerce Committee

House Bill No. 3037 -- Education -- House Education Committee

House Bill No. 3038 -- Rutherford County -- Local Bill Held on House Desk

House Bill No. 3039 -- Memorials, Government Officials -- House Transportation Committee

House Bill No. 3040 -- Fees -- House State & Local Government Committee

House Bill No. 3041 -- TennCare -- Caption Bill Held on House Desk

House Bill No. 3042 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3043 -- Victims Rights -- House Government Operations Committee

House Bill No. 3044 -- Public Records -- House Judiciary Committee

House Bill No. 3045 -- Driver Licenses -- House Transportation Committee

House Bill No. 3046 -- Taxes -- Caption Bill Held on House Desk

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 3047 -- Taxes, Sales -- House Finance, Ways & Means Committee

House Bill No. 3048 -- Pensions and Retirement Benefits -- House State & Local Government Committee

House Bill No. 3049 -- Pensions and Retirement Benefits -- House State & Local Government Committee

House Bill No. 3050 -- Taxes -- House Finance, Ways & Means Committee

House Bill No. 3051 -- Religion and Religious Organizations -- House Judiciary Committee

House Bill No. 3052 -- Insurance Companies, Agents, Brokers -- House Commerce Committee

***House Bill No. 3053** -- State Employees -- House State & Local Government Committee

House Bill No. 3054 -- District Attorneys -- House Judiciary Committee

House Bill No. 3055 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3056 -- Managed Care Organizations -- House Commerce Committee

***House Bill No. 3057** -- Gas, Petroleum Products, Volatile Oils -- House Conservation & Environment Committee

***House Bill No. 3058** -- Medical Occupations -- Caption Bill Held on House Desk

***House Bill No. 3059** -- Election Laws -- House State & Local Government Committee

House Bill No. 3060 -- Campaigns -- House State & Local Government Committee

***House Bill No. 3061** -- County Officers -- House State & Local Government Committee

House Bill No. 3062 -- Contractors -- Caption Bill Held on House Desk

House Bill No. 3063 -- Environmental Preservation -- House Conservation & Environment Committee

House Bill No. 3064 -- Parks, Natural Areas Preservation -- House Conservation & Environment Committee

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 3065 -- Housing -- House State & Local Government Committee

***House Bill No. 3066** -- Aircraft and Airports -- House State & Local Government Committee

House Bill No. 3067 -- Aged Persons -- House Commerce Committee

***House Bill No. 3068** -- Education -- House Education Committee

***House Bill No. 3069** -- Sewage -- House Conservation & Environment Committee

***House Bill No. 3070** -- Utilities, Utility Districts -- Caption Bill Held on House Desk

House Bill No. 3071 -- Eminent Domain -- House Judiciary Committee

House Bill No. 3072 -- Sexual Offenses -- House Judiciary Committee

***House Bill No. 3073** -- Privacy, Confidentiality -- House Judiciary Committee

***House Bill No. 3074** -- State Government -- House Judiciary Committee

***House Bill No. 3075** -- Highway Signs -- House Transportation Committee

House Bill No. 3076 -- Highways, Roads and Bridges -- House Transportation Committee

House Bill No. 3077 -- Personnel, Dept. of -- House State & Local Government Committee

House Bill No. 3078 -- Annexation -- House State & Local Government Committee

House Bill No. 3079 -- State Employees -- House State & Local Government Committee

House Bill No. 3080 -- Eminent Domain -- House Judiciary Committee

***House Bill No. 3081** -- Aged Persons -- House Health & Human Resources Committee

***House Bill No. 3082** -- Drug and Alcohol Rehabilitation -- House Health & Human Resources Committee

***House Bill No. 3083** -- Vital Statistics -- House Health & Human Resources Committee

House Bill No. 3084 -- Real Property -- House Commerce Committee

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

***House Bill No. 3085** -- Accountants -- House Government Operations Committee

***House Bill No. 3086** -- Fair Trade Laws -- House Commerce Committee

House Bill No. 3087 -- Bonds and Undertakings, Regulation of -- House State & Local Government Committee

House Bill No. 3088 -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

***House Bill No. 3089** -- Taxes, Real Property -- House Finance, Ways & Means Committee

House Bill No. 3090 -- Domestic Violence -- House Children and Family Affairs Committee

House Bill No. 3091 -- Courts, General Sessions -- House Judiciary Committee

***House Bill No. 3092** -- Annexation -- Caption Bill Held on House Desk

***House Bill No. 3093** -- Bond Issues -- House State & Local Government Committee

House Bill No. 3094 -- Alcoholic Beverages -- House State & Local Government Committee

***House Bill No. 3095** -- County Officers -- House State & Local Government Committee

House Bill No. 3096 -- General Assembly -- House State & Local Government Committee

House Bill No. 3097 -- Kenton -- House Education Committee

***House Bill No. 3098** -- Credit Cards -- House Consumer & Employees Affairs Committee

House Bill No. 3099 -- Bail, Bail Bonds -- House Transportation Committee

House Bill No. 3100 -- Animals -- House Agriculture Committee

House Bill No. 3101 -- Bail, Bail Bonds -- House Commerce Committee

House Bill No. 3102 -- Animals -- House Agriculture Committee

House Bill No. 3103 -- Animals -- House Agriculture Committee

House Bill No. 3104 -- Bail, Bail Bonds -- House Judiciary Committee

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 3105 -- Bail, Bail Bonds -- House Judiciary Committee

House Bill No. 3106 -- Sexual Offenses -- House Judiciary Committee

House Bill No. 3107 -- Constitutional Conventions -- House State & Local Government Committee

***House Bill No. 3108** -- Education -- House Education Committee

House Bill No. 3109 -- Contractors -- House Commerce Committee

House Bill No. 3110 -- Consumer Protection -- House Judiciary Committee

***House Bill No. 3111** -- Interstate Compacts -- House State & Local Government Committee

House Bill No. 3112 -- Education -- House Education Committee

House Bill No. 3113 -- Mental Illness -- House Health & Human Resources Committee

House Bill No. 3114 -- Physicians and Surgeons -- House Health & Human Resources Committee

House Bill No. 3115 -- Housing -- House State & Local Government Committee

***House Bill No. 3116** -- Insurance, Health, Accident -- House Commerce Committee

***House Bill No. 3117** -- Hazardous Materials -- House Conservation & Environment Committee

***House Bill No. 3118** -- Liens -- House Commerce Committee

House Bill No. 3119 -- Criminal Procedure -- House Judiciary Committee

***House Bill No. 3120** -- Teachers -- House Education Committee

***House Bill No. 3121** -- Custody and Support -- House Children and Family Affairs Committee

***House Bill No. 3122** -- Election Laws -- House State & Local Government Committee

***House Bill No. 3123** -- Education -- House Education Committee

***House Bill No. 3124** -- Election Laws -- House Judiciary Committee

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

House Bill No. 3125 -- Tort Liability -- House Children and Family Affairs Committee

House Bill No. 3126 -- Teachers -- House Education Committee

House Bill No. 3127 -- Education -- House Education Committee

House Bill No. 3128 -- Personal Property -- House Judiciary Committee

House Bill No. 3129 -- Education -- House Education Committee

***House Bill No. 3130** -- Telecommunications -- House Consumer & Employees Affairs Committee

House Bill No. 3131 -- Alcoholic Beverages -- House State & Local Government Committee

House Bill No. 3132 -- TennCare -- House Commerce Committee

House Bill No. 3133 -- Education, Higher -- House Education Committee

House Bill No. 3134 -- Telecommunications -- Caption Bill Held on House Desk

***House Bill No. 3135** -- Managed Care Organizations -- House Commerce Committee

House Bill No. 3136 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 3137 -- TennCare -- House Commerce Committee

House Bill No. 3138 -- Insurance, Health, Accident -- House Commerce Committee

House Bill No. 3139 -- Taxes, Sales -- House Finance, Ways & Means Committee

***House Bill No. 3140** -- Tennessee Housing Development Agency -- House State & Local Government Committee

***House Bill No. 3141** -- Dentists -- House Health & Human Resources Committee

***House Bill No. 3142** -- Claims Commission, Tennessee -- House Judiciary Committee

House Bill No. 3143 -- Insurance, Health, Accident -- House Commerce Committee

House Bill No. 3144 -- Attorneys at Law -- House Judiciary Committee

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

***House Bill No. 3145** -- Claims Commission, Tennessee -- House Judiciary Committee

House Bill No. 3146 -- Animals -- House Judiciary Committee

House Bill No. 3147 -- Pardons and Paroles -- House Judiciary Committee

House Bill No. 3148 -- Sexual Offenses -- House Judiciary Committee

House Bill No. 3149 -- Sexual Offenses -- House Judiciary Committee

House Bill No. 3150 -- Insurance, Health, Accident -- House Commerce Committee

House Bill No. 3151 -- Sentencing -- House Judiciary Committee

House Bill No. 3152 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3153 -- Motor Vehicles -- House Judiciary Committee

House Bill No. 3154 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3155 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3156 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3157 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3158 -- Evidence -- House Judiciary Committee

House Bill No. 3159 -- Sentencing -- House Judiciary Committee

House Bill No. 3160 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3161 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3162 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 3163 -- Sentencing -- House Judiciary Committee

House Bill No. 3164 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 3165 -- Crime, Victims of -- House Judiciary Committee

House Bill No. 3166 -- Taxes, Litigation -- House Judiciary Committee

House Bill No. 3167 -- Sentencing -- House Judiciary Committee

House Bill No. 3168 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3169 -- District Attorneys -- House Judiciary Committee

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

***House Bill No. 3170** -- Education -- House Education Committee

***House Bill No. 3171** -- Children -- House Children and Family Affairs Committee

House Bill No. 3172 -- Zoning -- House State & Local Government Committee

House Bill No. 3173 -- Henry County -- Local Bill Held on House Desk

House Bill No. 3174 -- Insurance Companies, Agents, Brokers -- House Commerce Committee

House Bill No. 3175 -- Planning, Public -- House State & Local Government Committee

House Bill No. 3176 -- Opticians -- House Health & Human Resources Committee

House Bill No. 3177 -- Insurance, Health, Accident -- House Commerce Committee

***House Bill No. 3178** -- Taxes -- House State & Local Government Committee

House Bill No. 3179 -- Election Laws -- House State & Local Government Committee

House Bill No. 3180 -- Wills -- House Judiciary Committee

House Bill No. 3181 -- Physicians and Surgeons -- House Health & Human Resources Committee

***House Bill No. 3182** -- Bad Checks -- House Commerce Committee

**REPORT OF DELAYED BILLS COMMITTEE
February 5, 1998**

Pursuant to **Rule No. 77**, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 3368.

Jimmy Naifeh, Speaker
Jere Hargrove
Steve McDaniel

REPORTS FROM STANDING COMMITTEES

The committees that met on **February 5, 1998**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for February 9, 1998**: House Bill(s) No(s). 2048, 2052, 2161, 2168 and 2169.

CONSENT CALENDAR

House Resolution No. 144 -- Memorials, Personal Achievement - Eric Lee, Eagle Scout. by *Kerr.

House Joint Resolution No. 503 -- Memorials, Retirement - G.K. Anderson. by *Davidson.

House Joint Resolution No. 506 -- Memorials, Academic Achievement - Vincent Charles Betro, Bartlett High School. by *Hargett.

House Joint Resolution No. 508 -- Memorials, Retirement - Marilyn Field, Department of Human Services. by *Jackson.

House Joint Resolution No. 509 -- Memorials, Sports - 1997 Dyersburg High School football team. by *Cole (Dyer).

House Joint Resolution No. 510 -- Memorials, Professional Achievement - Jim and Jesse McReynolds, 1997 National Heritage Fellowship. by *McDonald.

House Joint Resolution No. 516 -- Memorials, Sports - 1997 Battle Ground Academy football team, TSSAA Division 2, Class A state champion. by *Sargent, *Williams (Williamson).

Senate Joint Resolution No. 393 -- Memorials, Death - Dr. Edgar Keene "E.K." Bratton. by *Rochelle.

Senate Joint Resolution No. 395 -- Memorials, Death - Herschel "H.I." Holt. by *Rochelle.

Senate Joint Resolution No. 396 -- Memorials, Death - James Alfred Donoho, former State Representative, Judge and Mayor of Hartsville. by *Rochelle, *Harper.

Rep. Bone moved that all members voting aye on Senate Joint Resolution No. 396 be added as sponsors, which motion prevailed.

Rep. Sargent moved that House Joint Resolution No. 516 be removed from the Consent Calendar and held on the Clerk's desk, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Fitzhugh moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Stulce moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 435 out of order, which motion prevailed.

Senate Joint Resolution No. 435 -- Naming and Designating - "National School Counseling Week," February 2-6, 1998. by *Crutchfield, *Leatherwood.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Stulce, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Garrett moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 437 out of order, which motion prevailed.

Senate Joint Resolution No. 437 -- Memorials, Personal Occasion - Jenny Graff, birthday. by *Haynes.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Garrett, the resolution was concurred in.

A motion to reconsider was tabled.

REPORT OF CHIEF ENGROSSING CLERK
February 5, 1998

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 460, 461, 462, 463 and 485.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS
February 5, 1998

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 503, 506, 508, 509 and 510.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
February 5, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 507; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
February 5, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2067; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
February 5, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2231 and 2232; both substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
February 5, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2203, 2243, 2282, 2328, 2377, 2423, 2430, 2601 and 2809; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 2203** -- County Officers - Sets salary for Hawkins County executive under general law formula rather than at general sessions court judges salary. Amends TCA Section 5-6-105. by *Williams.

Senate Bill No. 2243 -- Taxes - Authorizes department of revenue to automatically refund or credit estimated taxes paid in excess of actual liability without audit review. Amends TCA 67-1-1802. by *McNally, *Atchley.

Senate Bill No. 2282 -- Election Laws - Standardizes procedure for timing of certain elections on questions. Amends TCA Section 5-21-126(b)(1); Section 9-21-209; Section 57-4-103(a)(2)(A) and Section 67-6-706(a)(2). by *Rochelle.

***Senate Bill No. 2328** -- Aircraft and Airports - Provides specific exception from general law for professional requirements for board members on Knox County airport authority to require four seats instead of all governing board to be in one of professional fields of: engineering, law, industry, commerce and finance. Amends TCA Section 42-4-105. by *Atchley, *Clabough (S).

Senate Bill No. 2377 -- Local Government, General - Requires member of local governing body abstaining for any reason other than conflict of interest to be counted for purpose of determining majority vote. Amends TCA Section 12-4-101. by *Burks.

Senate Bill No. 2423 -- County Officers - Permits county executive to hire clerical assistants subject to appropriation of county legislative body. Amends TCA Section 5-6-116; Section 5-6-117 and Section 5-6-118. by *Crutchfield.

***Senate Bill No. 2430** -- Election Laws - Permits disabled or illiterate voter to vote with assistance of any person of voter's choice in presence of judge or election official of different political party. Amends TCA 2-7-116. by *Crutchfield, *Harper.

Senate Bill No. 2601 -- Naming and Designating - "General Clifton B. Cates Armory," Tiptonville, Lake County. by *Herron.

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

Senate Bill No. 2809 -- Uniform Commercial Code - Permits secretary of state to prescribe acceptable forms for filing of UCC documents Amends TCA Section 47-9-402(9). by *Crutchfield.

**MESSAGE FROM THE SENATE
February 5, 1998**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 469, 470, 471, 473, 474, 475, 478, 479, 480, 482 and 483; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
February 5, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 435 and 437; both for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED
February 5, 1998**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 435 and 437.

**ENROLLED BILLS
February 5, 1998**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 469, 470, 471, 473, 474, 475, 478, 479, 480, 482, 483 and 507.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
February 5, 1998**

The Speaker signed the following: House Joint Resolution(s) No(s). 469, 470, 471, 473, 474, 475, 478, 479, 480, 482, 483 and 507

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS
February 5, 1998**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 2045, 2047, 2050, 2051, 2053, 2054, 2062, 2064, 2065, 2068, 2069, 2197 and 2288.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
February 5, 1998**

The Speaker signed the following: House Bill(s) No(s). 2045, 2047, 2050, 2051, 2053, 2054, 2062, 2064, 2065, 2068, 2069, 2197 and 2288.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS
February 5, 1998**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2067, 2231 and 2232; also, House Resolution(s) No(s). 144.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
February 5, 1998**

The Speaker signed the following: House Bill(s) No(s). 2067, 2231 and 2232; also, House Resolution(s) No(s). 144.

**SIGNED
February 5, 1998**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 35, 380, 381, 382, 385, 386, 387, 388, 390 and 391.

**CONSENT CALENDAR
February 5, 1998**

The following local bills have been placed on the Consent Calendar for **February 9, 1998**: House Bill(s) No(s). 2678 and 2962.

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach,

THURSDAY, FEBRUARY 5, 1998 -- SIXTY-SECOND LEGISLATIVE DAY

Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 5:00 p.m., Monday, February 9, 1998.